

**APPROVED 9-19-13  
TOWN OF NORTH HAVEN, CONNECTICUT  
MINUTES OF THE  
ZONING BOARD OF APPEALS**

A meeting of the Zoning Board of Appeals was held on Thursday, August 15, 2013 at the North Haven Memorial Library in the Community Room at 7:30 PM.

**MEMBERS PRESENT:**

Robert F. Hannon, Chairman  
Caren M. Genovese, Vice Chairman  
Donald F. Clark, Secretary  
Joseph P. Villano  
Michelle L. Bonora, Alternate, sitting for Joel I. Rudikoff

**MEMBERS ABSENT:**

Joel I. Rudikoff  
William D. O'Hare, Alternate  
Jacob M. Piekarski, Alternate

**TOWN PERSONNEL:**

Alan A. Fredricksen, Land Use Administrator

**OTHERS PRESENT:**

Mary Lee Rydzewski, Public Stenographer  
Sandra Lion, Clerk

**AGENDA:**

Mr. Hannon, Chairman, opened the meeting at 7:31 PM and introduced the members of the Board, the Town staff, the stenographer and clerk. He explained that under the Connecticut State Statutes for an appeal request to be approved, the applicant needs a minimum of four (4) Board members to concur. Mr. Hannon stated that applications A2W-13-02, 525 Washington Avenue, and #13-09, 70 Old Broadway West, have been postponed to the September 19, 2013 meeting.

**A2 SURVEY WAIVER:**

1. A2W-13-02 Application of Jennifer Stevens, applicant, Tri-Capita Investment Group, LLC, Owner, relative to 525 Washington Avenue, (Map 95, Lot 13), seeking a waiver of the A2 survey application requirement.

This application has been postponed to the September 19, 2013 meeting.

**PUBLIC HEARINGS:**

1. #13-09      Application of William Mezzano, Applicant, BAM Properties, Owner, relative to 70 Old Broadway West, (Map 66, Lot 15), per Section 5.1 requesting a use variance to permit a gymnasium/fitness center in an IL-30 Zoning District.

This application has been postponed to the September 19, 2013 meeting.

Mr. Clark read the call for the Public Hearing.

2. #13-13      Application of Andrew Tarutis, Applicant, Chyrlann Tarutis and Donald R. Melillo, Owners, relative to 23 Melillo Circle, (Map 57, Lot 112) per Section 2.1.1.9 requesting a front yard variance of 14' to permit a front yard setback of 36' where 50' is required. R-20 Zoning District.

Mr. Andrew Tarutis, applicant, presented the application to permit a front yard setback of 36' where 50' is required for the construction of a front porch and entrance, handicap ramp and a wrap-around deck. The Board asked questions and Mr. Melillo responded. He then submitted a letters of hardship, Exhibit A, and letters from neighbors in favor of the application, Exhibit B.

Mr. Hannon asked for public comment.

Public comment:

1. Chyrlann Tarutis Melillo, 23 Melillo Circle, spoke in favor of the application.

There being no further public comment, the Public Hearing was closed.

**DELIBERATION SESSION:**

2. #13-16      Application of Andrew Tarutis, Applicant, Chyrlann Tarutis and Donald R. Melillo, Owners, relative to 23 Melillo Circle, (Map 57, Lot 112) per Section 2.1.1.9 requesting a front yard variance of 14' to permit a front yard setback of 36' where 50' is required. R-20 Zoning District.

Mr. Clark moved to approve limit to survey submitted the application; Mrs. Genovese seconded the motion. The Board voted as follows:

Hannon – aye Genovese – aye Clark – aye Villano – aye Bonora - aye

The application was approved.

The Board stated the following:

1. The variance is limited to the work of this proposed plan only.
2. The request is reasonable.
3. The variance was approved in accordance with the Americans with Disabilities Act.

**OTHER:** None

**CEASE AND DESIST ORDERS:**

Mr. Alan Fredricksen, Land Use Administrator, outlined current zoning violations with the Board.

-1 Rance Court – Non-permitted shed. A Cease & Desist Order was sent on July 19, 2013.

The following businesses had non-permitted sign violations and were sent a Cease & Desist Order on August 12, 2013.

- 900 Universal Drive
- 70 Old Broadway West
- 267 Washington Avenue
- 36 Broadway
- 81 Old Broadway West
- 310 Washington Avenue
- 540 Washington Avenue

**CORRESPONDENCE:** None

**MINUTES:**

July 18, 2013

Mr. Villano moved to approve the minutes of the July 18, 2013 meeting; Mrs. Genovese seconded the motion. The Board voted as follows:

Hannon – aye Genovese – aye Clark – aye Villano – aye Bonora - aye

**ADJOURN:**

There being no further business, Mrs. Genovese moved to adjourn; Mr. Villano seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 7:52 PM.